

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00200-RJC-DSC

USA

v.

XAVIER TWANNE HARDIN

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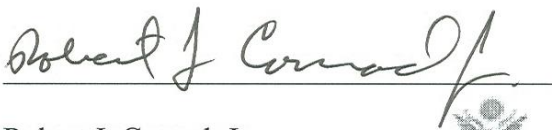
ORDER

THIS MATTER is before the Court upon motions by the defendant pro se, for judicial review of his case, appointment of counsel, and correction of his sentence. (Doc. Nos. 74, 75, 76).

The Judgment became final when the time expired for filing an appeal after it was entered on May 16, 2018. (Doc. No. 62). Accordingly, the defendant's claims about drug quantity and the resulting sentence would be appropriately raised pursuant to 28 U.S.C. § 2255. However, there is no constitutional right to the appointment of counsel in a § 2255 proceeding, Pennsylvania v. Finley, 481 U.S. 551, 555 (1987), and the defendant has not shown that appointment of counsel is necessary in this case.

IT IS, THEREFORE, ORDERED that the defendant's motions, (Doc. No. 74, 75, 76), are **DISMISSED** without prejudice. The Clerk of Court is directed to send the defendant a copy of the Pro Se Prisoner 2255 Motion to Vacate Form at the place of his incarceration.

Signed: January 31, 2022



Robert J. Conrad, Jr.